

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**CENTER FOR AUTISM AND
RELATED DISORDERS, LLC.¹,

Debtor.**

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Chapter 11

**CASE NO. 23-90709 (DRJ)

(Jointly Administered)**

**LIMITED OBJECTION AND RESERVATION OF RIGHTS OF SYSINFORMATION
HEALTHCARE SERVICES LLC D/B/A EQUALIZERCM SERVICES TO THE
NOTICE TO CONTRACT PARTIES TO POTENTIALLY ASSUMED
EXECUTORY CONTRACTS AND UNEXPIRED LEASES
[Doc. No. 152]**

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW SysInformation Healthcare Services LLC, d/b/a EqualizeRCM Services (“SysInformation”) and files this limited objection and reservation of rights with respect to the potential assumption and assignment of SysInformation’s contract as set forth in the *Notice to Contract Parties to Potentially Assumed Executory Contracts and Unexpired Leases* [Dkt. 152] (the “Cure Notice”), and in support thereof would show as follows:

I. BACKGROUND

1. On February 16, 2017, the Debtor, the Center for Autism and Related Disorders, LLC (“Debtor”), entered into a Service Agreement with SysInformation in which SysInformation provided certain services to the Debtor (“SysInformation Agreement”).

2. On June 11, 2023 (the “Petition Date”), the Debtor filed its voluntary petition for relief under Chapter 11 of the Bankruptcy Code. The Debtor is operating its businesses and managing its affairs as a debtor-in-possession under 11 U.S.C §§ 1107 and 1108.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number are: Center for Autism and Related Disorders, LLC (1512); CARD Holdings, LLC (1453); CARD Intermediate Holdings I, LLC (N/A); CARD Intermediate Holdings II, LLC (3953); and SKILLS Global, LLC (4192). The location of the Debtor’s principal place of business is 9089 S Pecos Rd., Suite 3600, Henderson, Nevada 89074.

3. On June 23, 2023, the Debtor filed the Cure Notice, stating a \$41,206 cure amount in connection with the potential assumption of the SysInformation Agreement (“Proposed Cure Amount”). According to the Cure Notice, the Debtor identifies the SysInformation Agreement for possible assumption and payment of the Proposed Cure Amount.

4. On June 29, 2023, the Debtor filed a *Notice of Filing of Plan Supplement* [Doc. No. 155] (“Plan Supplement”), which stated the same \$41,206 Proposed Cure Amount as was stated in the June 23, 2023 Cure Notice.

LIMITED OBJECTION

5. SysInformation does not oppose the assumption of the SysInformation Agreement but files this Limited Objection due to the continued accrual of fees owing to SysInformation under the SysInformation Agreement, which must be paid upon assumption if not otherwise paid in the ordinary course. The Cure Notice and the Plan Supplement correctly state the cure amount of \$41,206 owing to SysInformation through the date of their respective filings. However, SysInformation has continued to provide services to the Debtor under the SysInformation Agreement. As a result, additional amounts due to SysInformation have continued to accrue and must be paid in order for the Debtor to assume the SysInformation Agreement.

6. In this regard, the July 2023 amount due to SysInformation under the SysInformation Agreement is \$19,800, which is in addition to the Proposed Cure Amount set forth in the Cure Notice and the Plan Supplement. Payment of this amount is due on or before August 13, 2023.² This additional amount, if not paid by Debtor prior to assumption, must be paid at the time of assumption under Bankruptcy Code § 365(b)(1). **Accordingly, including the July fees,**

² A copy of the July pro forma invoice is attached hereto as Exhibit A.

the total cure amount due to SysInformation through July in connection with the assumption of the SysInformation Agreement would be \$61,006.

7. Additionally, the Debtor continues utilizing SysInformation's services under the SysInformation Agreement post-petition, and the total cure amount may increase depending on the actual date of assumption and the payments by Debtor through the date of assumption. To the extent any additional post-petition invoices/amounts have not been paid by the Debtor prior to assumption, such post-petition amounts must be paid at the time of assumption as part of the cure amount.

RESERVATION OF RIGHTS

8. SysInformation reserves all rights with respect to all post-petition invoices related to the SysInformation Agreement, including the right to require payment in full of all post-petition invoices in conjunction with any assumption of the SysInformation Agreement and the right to require any assignee to provide adequate assurance of future performance related to all outstanding amounts. Further SysInformation reserves all rights under the SysInformation Agreement, as well as all rights with respect to administrative expense claims related to the SysInformation Agreement and SysInformation's services provided thereunder.

9. SysInformation also reserves the right to withdraw this limited objection or revise the stated cure amount should it obtain further information and/or upon further investigation.

WHEREFORE, SysInformation requests (i) that to the extent the July 2023 fees are not paid by the Debtor prior to assumption, any assumption of the SysInformation Agreement include the July 2023 fees and provide a cure payment to SysInformation of \$61,006, representing outstanding invoices issued through July 13, 2023; (ii) that any assumption provide for payment to SysInformation of any additional post-petition amounts outstanding under the SysInformation

Agreement as of the date of assumption beyond the amount set forth in (i) above; and (iii) that SysInformation be awarded such other and further relief to which it may be justly entitled at law or in equity.

Dated: July 13, 2023

Respectfully submitted,

By: /s/ James Landon
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EQUALIZERCM SERVICES

CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2023 a true and correct copy of the foregoing pleading was served by electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case as well as via email to the individuals/addresses below:

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G. James Landon